

REMARKS

I. Status of the Application

Claims 1, 2, 4, and 6-17 are all the claims pending in the application. By this Amendment, Applicant amends claims 1, 2, 4, 6, 7, 12, 13, and 17 for clarity and cancels claims 3 and 5. No new subject matter has been added.

II. Summary of the Office Action

Claims 1-17 are rejected under 35 U.S.C. § 112, first paragraph.

Claims 1-5 and 7-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bretschneider (U.S. Patent No. 6,149,254) in view of Baltes (U.S. Patent No. 4,869,872).

Claims 6 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bretschneider in view of Baltes and Spinazzoia (U.S. Patent Application Publication No. 2001/0029163).

III. Claim Rejections under 35 U.S.C. § 112, First Paragraph

Claim 3 is now canceled and claim 1 is amended, to obviate this ground of rejection. It is respectfully requested this ground of rejection of the claims be withdrawn.

IV. Claim Rejections under 35 U.S.C. § 103(a)

A. Claims 1-5 and 7-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bretschneider in view of Baltes.

Claim 1 *inter alia* recites: “a first air circulator device, which is installed through the second outside opening so that a bottom portion of the first air circulator device is installed substantially in the second outside opening.”

Bretschneider describes an equipment cabinet. A functional area wall is positioned between an outer wall and an inner guide wall and is provided with a rib system (*see* Abstract). The fan 35 is disposed inside the outer channel 9 (FIG. 1) to remove the air from the outer channels by lamellas in the cover 36. (Col. 5, lines 2-5).

However, Bretschneider does not teach or suggest installing the air circulator device “through the second outside opening so that a bottom portion of the first air circulator device is installed substantially in the second outside opening,” as claimed.

Baltes does not cure any above-discussed deficiency of Bretschneider.

Accordingly, Applicant respectfully submits that the Examiner’s proposed combination of Bretschneider and Baltes does not teach or suggest at least “a first air circulator device, which is installed through the second outside opening so that a bottom portion of the first air circulator device is installed substantially in the second outside opening.”

It is, therefore, respectfully submitted that **claim 1 and dependent claims 2, 4, and 7-16** are patentable.

B. Claims 6 and 17 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bretschneider in view of Baltes and Spinazzoia.

Claims 6 and 17 depend on claim 1. As discussed above, Bretschneider and Baltes do not teach all of the features of claim 1. Spinazzoia does not cure any above-discussed deficiency of these references. It is, therefore, respectfully submitted that **claims 6 and 17** are patentable at least by virtue of their dependencies.

V. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.114(c)
Appln. No.: 10/664,865

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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